

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

NANCY MARTIN, <i>et. al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:05-cv-1172-MEF
	)	
CITY OF DOTHAN, <i>et. al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On January 4, 2006, Defendants City of Dothan, City of Dothan Police Department, and John Powell filed a Motion to Dismiss (Doc. # 6) and a Motion to Sever Claims (Doc. # 8). On February 22, 2006, Defendant Rose Evans-Gordon filed a Motion to Sever (Doc. # 20) and a Motion to Strike and Motion to Dismiss (Doc. # 21). On February 28, 2006, Plaintiffs filed an Amended Complaint (Doc. # 23) to address some of the concerns raised in these motions. Because all of these motions address the original Complaint, not the Amended Complaint, it is hereby ORDERED that

1. Defendants City of Dothan, City of Dothan Police Department, and John Powell's Motion to Dismiss (Doc. # 6) and Motion to Sever Claims (Doc. # 8) are DENIED AS MOOT. Defendant Gordon's Motion to Sever (Doc. # 20) and Motion to Strike and Motion to Dismiss (Doc. # 21) are DENIED AS MOOT. However, this does not prevent Defendants from filing such motions in response to the Amended Complaint if they choose to do so.

2. The March 1, 2006 Order (Doc. # 25) setting a briefing schedule on Defendant Gordon's motions is VACATED.

DONE this 3rd day of March, 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE